GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR& RD. Department – Allegation of possession of assets disproportionate to the known sources of income and violation of APCS (Conduct) Rules, 1964 against Sri G. Satyanarayana, Deputy Executive Engineer, RWS, Sabbavaram, Visakhapatnam District (now Retd.) – Placed under suspension - Acquitted by the Spl. Judge for ACB Cases, Visakhapatnam in CC No.11/2007, dt: 27.06.2017 – Further action dropped - Departmental action initiated for violation of conduct rules - Charges not proved in the regular inquiry by the C.O.I – Further action dropped - Regularization of suspension period with effect from 25.09.2003 to 31.07.2005 as period spent 'on duty' under FR 54(B)(3) - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT (Vig.I) DEPARTMENT

G.O.RT.No. 425 Dated: 23-07-2020.

Read the following:-

1. Proceedings No. DEE (1)/ 14321/97, dt: 22.09.2003 of the Engineer-in-Chief, PR, A.P, Hyderabad.
2. From the DG, ACB, Letter RC.No. 192/RCA-WVP/2003, dt:27.12.2005.
3. Govt. Memo No. 1183/Vig. II/A2/2003-7, PR&RD (Vig.II) Department, Dt: 13.02.2007.
4. G.O.Rt.Nos.207 & 208, PR&RD (Vig.II) Department, Dt:13.02.2007.
5. From Sri G. Satyanarayana, Dy.EE (Retd.), representation dt: 20.07.2007.
6. G.O.Rt.NO. 925, PR&RD (Vig. II) Department, Dt: 21.06.2008.
7. From Smt. Chandana Khan, D.O. Letter NO.107/COICK/A1/2008, dt: 10.03.2010.
8. Judgment copy in CC No. 1/2007, dt:27.06.2017 of Spl. Judge for ACB Cases, Visakhapatnam received from the DG, ACB vide letter Rc.No.192/RCA-WVP/2003-S.11, dt:26.11.2018.
9. G.O.Rt.NO.399, PR&RD (Vig.I) Department, Dt:30.05.2019.
10. G.O.Rt.NO.400, PR&RD (Vig.I) Department, Dt:30.05.2019.
11. From the ENC, PR, A.P, Vijayawada, Letter No.Ser.II (1)/1432197, dated: 28.10.2019.

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ORDER:

On the allegation of possession of assets disproportionate to the known sources of income against Sri G. Satyanarayana, Deputy

Executive Engineer, RWS, Sabbavaram, Visakhapatnam District, the Anti-corruption Bureau registered a case under relevant Sections of Prevention of Corruption Act, 1988 on 11.09.2003 and conducted searches on the assets of Accused Officer and took further investigation.

2. Consequent to the above case, in the reference 1st read above, the Engineer-in-Chief, Panchayat Raj, A.P, Hyderabad has placed Sri G.Satyanarayana, Deputy Executive Engineer, RWS, Sabbavaram, Visakhapatnam District, under suspension, pending initiation of criminal and disciplinary proceedings. The accused officer retired from service on attaining the age of superannuation on 31.07.2005, while continuing under suspension.

3. In the reference 2nd read above, the Director General, Anti-Corruption Bureau, A.P, Hyderabad has submitted final report and recommended to for prosecution of the A.O. in a court of law under relevant sections of Prevention of Corruption Act, 1988. He has also informed therein that the accused officer failed to obtain prior permission from the competent authority in acquisition of assets in his name and in the names of his family members in violation of APCS (Conduct) Rules, 1964 and recommended to initiate departmental action also against the accused officer.

4. In the reference 3rd read above, Government accorded permission to the Director General, Anti-Corruption Bureau, to file charge sheet against the accused officer. Accordingly, the D.G, ACB has filed charge sheet in the Court of Hon'ble Spl. Judge for ACB Cases, Visakhapatnam, in CC No. 11/2007.

5. In the reference 4th read above, Government have initiated departmental proceedings against the accused officer for violation of Conduct Rules. After examination of the written statement of defence of the charged officer, the case was entrusted to the Commissioner of Inquiries, General Administration (COI) Department to inquire into the charges framed against the C.O., vide reference 6th read above.

6. In the reference 7th read above, the Inquiring Authority has submitted inquiry report dt:10.03.2010 and held that the "charged officer able to produce enough evidence to show that he obtained prior permission for acquisition of assets mentioned under the charges".

7. In the reference 8th read above, the Hon'ble Spl. Judge for ACB Cases, Visakhapatnam pronounced judgment on 27.06.2017 in CC NO.11/2007 and acquitted the accused officer Sri G. Satyanarayana, Deputy Executive Engineer (Retired). The Director General, ACB, AP, Vijayawada has informed that there are no grounds to file in the High

Court of A.P against the acquittal orders of trial court in CC No.11/2007, dt:27.06.2007.

8. In the reference 9th read above, Government dropped further action against Sri G. Satyanarayana, Deputy Executive Engineer (Retired), since he was acquitted by the Spl. Judge for ACB Cases, Visakhapatnam in CC No. 11/2007 ie., in the criminal case.

9. In the reference 10th read above, Government have also dropped further action against Sri G. Satyanarayuana, Deputy Executive Engineer (Retd.), on violation of conduct rules, in the departmental action case as the charges framed against him are not proved during the regular inquiry.

10. In the reference 11th read above, the Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada has submitted proposals to the Government for regularization of suspension period in respect of Sri G. Satyanarayana, Deputy Executive Engineer (Retd.) for the period from 25.09.2003 to 31.07.2005, as per rules in vogue, in the matter as further action against the individual was dropped by the Government in the both the cases referred above.

11. Government have examined the matter and observe that the criminal proceedings on acquisition of disproportionate assets as well as departmental proceedings for violation of conduct rules have been dropped against the individual on merits. It is therefore considered to regularize the suspension period of Sri G. Satyanarayana, Deputy Executive Engineer (now Retd.) undergone in the case with effect from 25.09.2003 to 31.07.2005 as period spent 'on duty' under FR 54(B)(3).

12. Accordingly, Government hereby order that the period of suspension in respect of Sri G. Satyanarayana, Deputy Executive Engineer, RWS, Sabbavaram, Visakhapatam District (now Retired) with effect from 25.09.2003 to 31.07.2005, regularized as period spent 'on duty' under FR 54(B)(3), in the matter.

13. The Engineer-in-Chief, PR, Vijayawada/ ENC, RWS&S, AP, Vijayawada shall take further action in the matter accordingly.

14. This orders issues with the concurrence of Finance (HR.IVFR&LR) Department vide their U.O. No. FIN01-HRORSPE/35/2019-HR.IV, dated: 10.07.2020 (Computer No.1052121).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada.
The Engineer-in-Chief, RWS&S, AP, Vijayawada.
Sri G.Satyanarayana, Deputy Executive Engineer (Retired) Through the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.

Copy to:
The Accountant General, A.P, Hyderabad.
The PAO, A.P, Vijayawada.
The DTO, Visakhapatnam.
The Finance (HR.IV-FR&LR) Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER